

NWX DOI-FISH & WILDLIFE

Moderator: Ken Warren
April 27, 2017
4:56 pm CT

Coordinator: Welcome and thank you for standing by. At this time all participants are in a listen-only mode until the question and answer session of today's conference. At that time to ask a question or make a comment, press star and the number one and record your name at the prompt.

This call is being recorded. If you have any objection, you may disconnect at this time. I will now turn the call over to (Roxanna Hinesman). Thank you.
You may begin.

(Roxanna Hinesman): Good evening. On behalf of United States Fish and Wildlife Service, I'd like to welcome you to this public webinar regarding the Draft Habitat Conservation Plan for the proposed Coral Reef Commons Project and associated environmental assessment currently open for public comment.

These documents were published in response to an incidental take permit application for the proposed Coral Reef Commons development which is currently under consideration by the service as required under the endangered species act.

We're glad you're joining us tonight by telethon and online. My name is (Roxanna Hinesman). I'm the Field Supervisor for the South Florida Ecological Services Field Office in Vero Beach.

As you heard, all statements made tonight are being recorded and will be made part of the public comment period's record. Tonight is an opportunity for all of you to register your thoughts and comments on the proposed action and to have those comments entered into the official record for consideration by the service.

At this time I would like to give you a brief overview of what's going to happen tonight, introduce the speakers to you and set a few ground rules. (Ashley Blackford) is one of the supervisors in the South Florida Ecological Services Office.

In a few minutes she's going to provide a brief overview about Habitat Conservation Plans, HCPs as you'll hear them called and the permitting process associated with HCP certification.

She's also going to give you an update as to where we are in the process for the proposed Coral Reef Commons Project, (Luna Phillips) and (Church Roberts) are speaking on behalf of (Ram Realty) and University of Miami, the applicants for this project.

They will give you an overview of the Coral Reef Commons HCP. Once these presentations are done, we'll work with the operator to facilitate a public comment period. The comment period is scheduled to last until approximately 8:30 p.m. or until all of the speakers had a chance to speak and then we'll be closing it down.

Please note that this is not designed as a question and answer session. It's a chance for you to state a common, concern or question that will be taken into consideration as the service works towards the decisions on the incidental take permit application and the associated HCP and environmental assessment.

To make a comment you must work through the Operator who will take your name and affiliation. She will line up, introduce and queue each speaker via the telephone conference line as we progress through the comments session. As she said, you can press star one.

We will likely have a number of speakers and time is limited therefore each commenter will be given a maximum of two minutes to speak. You do not have to use the entire two minutes however you may not defer your time to another speaker.

At 90 seconds you're going to hear a little bell signaling that you have 30 seconds left. At the two minute mark you will hear two bells as the signal to wrap up your comments immediately.

When time expires we don't expect you to stop in the middle of a sentence. Please go ahead and complete your thought. But then please wrap up your remarks quickly in order to allow sufficient time for everyone who wishes to speak to have the opportunity to do so.

If you still have additional comments you may submit them in writing and they will receive equal consideration to those submitted this evening. You do not have to speak even if you have registered with the Operator.

So if you find that people who spoke before you have adequately covered your concern, you may relinquish your time. All comments will receive the same level of consideration whether they are made once or multiple times.

I need to underscore that tonight's session is not a debate, not a debate between the audience and the service or the applicant. As I stated before it's also not a question and answer session.

You may ask a question and the questions will be recorded but will be answered later when the reviewers look at the transcript and all of the other materials submitted during the comment period.

All comments and questions will be reviewed and addressed after the comment period ended. Tonight's session is designed just to provide you the, sorry. Tonight's designed to provide you with information and to provide this additional avenue for you to provide oral comments.

Your comments will be included in the official record. And we would use them to identify additional information and/or analysis that should be included in our decision-making process. You may supplement your oral comments and written comments and we'll be happy to receive them.

You can send the comments and any supporting information until May 22, 2017. That is the end of the 60 day comment period and it will not be extended. The online and mailing addresses for the purpose of sending written comments in will be displayed on the last slide in the upcoming presentation.

And let me reiterate again. All public comments and information received during the open public comment regardless of the submission method will be thoroughly reviewed and given due consideration.

Having said all that, we're ready to start with the presentations. (Ashley Blackford) will not give a presentation on the HCP EA ITP Process. Thanks (Ashley).

(Ashley Blackford): All right. Thank you (Roxanna) and welcome again to the public webinar for the Coral Reef Draft Habitat Conservation Plan. I appreciate your taking time this evening to join us and hear a little bit about the process.

As (Roxanna) has already stated the purpose of our call is to explain the Endangered Species Act Permit Review process and provide additional opportunity for public comments on the Coral Reef Commons Draft Habitat Conservation Plan.

She's gone over the agenda a little bit but to restate, I'm going to provide an overview of the regulations and process, both for the Endangered Species Act and the Section 10 Project as well as the National Environmental Policy Act, commonly called NEPA.

I will also clarify the decision currently under consideration by the U.S. Fish and Wildlife Service. I will now pass it over to (Luna Phillips) and (Church Roberts) for an overview of the proposed Coral Reef Commons Project. And finally, we will conclude by accepting public comments for the record on the Habitat Conservation Plan Environmental Assessment.

So I'm first going to start with the Endangered Species Act. The purpose of the Endangered Species Act is to provide a means whereby the ecosystems upon which endangered and threatened species depend may be conserved and to provide a program for the conservation of assessed species.

Section 9 of the Endangered Species Act establishes that it's illegal to take endangered and threatened species without a proper permit. For those of you who don't work with the Endangered Species Act every day, take is defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect or attempt to engage in any such conduct.

So there are - there is a means for getting exemptions from the prohibitions of Section 9 and that is through the U.S. Fish and Wildlife Service who may issue you a permit for incidental take. For non-federal parties, this is done through the process described in Section 10A of the Endangered Species Act.

The process includes an applicant applying for an incidental take permit with a corresponding draft habitation plan. So it is the application and a habitat conservation plan that together compose a complete permit package. It's important to note here that incidental take is defined as the unintended take that may occur as a consequence in engaging in otherwise lawful activity.

So what is a habitat conservation plan? A habitat conservation plan is written by the applicant and it's a description of the applicant's proposed action and how it may affect listed species. It also includes how the applicant proposes to avoid minimized and if appropriate, mitigate or compensate for any effects.

Really a habitat conservation plan can be thought of as a description of the complete action of the applicant fits the description of the development they intend to do, the conservation measures they intend to do to offset that take.

So habitat conservation plans can apply to both listed and non-listed species. The reasoning behind this is that the length of a permit under an incidental take permit can be a number of years and over that duration there can be additional species become listed under endangered species.

By including those species as part of incidental take permit, it allows an applicant to get additional coverage for those species that are not currently listed. Collectively these species are conserved species in the ACP process.

So now I'm going to switch laws on us and jump to the National Environmental Policy Act, commonly referred to as NEPA. Federal agencies making a decision that could have an environmental effect must comply with the National Environmental Policy Act.

NEPA is intended to help the public understand what an agency is proposing and assess the effects of the federal action on the human environment. The NEPA document is the federal agency's document parallel to the habitat conservation plan is the applicant's document.

In this particular case, the services' consideration of issuing a permit is a federal action that is triggering NEPA. For the Coral Reef comments development project the U.S. Fish and Wildlife Service has developed an environmental assessment to comply with the NEPA requirements.

So what is an environmental assessment? And environmental assessment discloses and analyzes the effects of a proposed action on the human and national environment and whether they are significant.

In this case the human environment includes factors such as social, cultural, economic resources as well as the national resources. An environmental assessment considers short term, long term, direct, indirect and residual effects of the proposed actions and its alternative to the applicant's proposal.

If all of the effects that are analyzed in human environment are determined to be less than significant, an environment assessment concludes with a finding of no significant impact, sometimes called a (FNSI).

If any effect is determined to be significant, then an environmental impact statement is developed. As I indicated I wanted to provide a little more information about what the proposed action is for the Fish and Wildlife Service.

In this (specific) case we are considering issuing an incidental take permit in response to an incidental take permit application submitted for the Coral Reef Commons development. The applicants for this project include Coral Reef Retail, Coral Reef Resi Phase 1, Ramdev and the University of Miami.

The proposed duration of the incidental take permit is 30 years. So what is the limits on the services' actions? It's the services job to help the applicant comply with The Endangered Species Act. And we do this by evaluating the HCP which describes the applicant's proposed action.

Keep I mind this action is subject to other jurisdictions and not just those of the U.S. Fish and Wildlife Service. The services' action and decision is limited to our authorities under the Endangered Species Act. The service does not assume the role of or second-guess local planning authorities.

The project needs to be otherwise lawful. The services' action is to determine if the applicants' HCP meets our issuance criteria and if so, authorize incidental takes to the applicants for the otherwise lawful development.

The service does not authorize the development. We ensure compliance with the Endangered Species Act. So what are these permit issuance criteria? So

I've got all five here. Number one, the take will be incidental. Number two, the applicant will to the maximum extent applicable minimize and mitigate the impact of such taking.

Three, the applicant will develop a habitat conservation plan and ensure that adequate funding for the plan will be provided. What this means is that the applicant must demonstrate that they have sufficient funding to not just implement the development but also to implement the conservation strategy which in many cases is for the duration of the permit.

Number four, the taking will not appreciably reduce the likelihood of the survival and recovery of the species in the wild. And finally number five, the applicant will carry out any other measures that the Secretary of the Interior may require as being necessary or appropriate for the purposes of the permit.

So where are we in the process? We have completed number one and two. The applicants have developed a draft Habitat Development Plan to support their incidental take application.

The service has prepared an environmental assessment for public review that evaluates potential impacts of implementing the project. And we are now at number three, the public comment period.

The next step in our process is that the service will conduct an (intra) service Section 7 consultation. This number four is how we evaluate number four of the permit issuance criteria and assess whether the proposed action will officially reduce the likelihood of survival and recovery of the species in the wild.

Once we have gone through that process the service will determine whether the final HCP will meet the other permit issuance criteria as described under Section 10. And then makes a decision wither or not to deny or issue the permit.

So again, where we are in this process, we are currently in the 60 day public comment period as (Roxanne) explained for both the habitat conservation plan and the environmental assessment.

Once the comment period is closed we will evaluate and address public comments as appropriate. The service will identify whether the HCP or the environmental assessment need revisions in response to public comments and work with the applicants to make those changes, if needed and appropriate.

Once the HCP has been finalized the service will evaluate the HCP for current issuance criteria and develop our decision documents. If the HCP meets permit issuance criteria, the service must issue an incidental take permit. At that point the permit holder is authorized for the incidental take as long as they are in compliance with the HCP and the incidental take permit and all other federal, state and local law.

At this time I wanted to give you a little bit more insight about what the decision documents are and what they are comprised of. So as I've already stated, we would conduct a Section 7 consultation and develop a biological opinion.

In this biological opinion, we analyze direct, indirect and cumulative effects of the proposed actions to the covered species listed plans and any critical habitat that falls within the action. And conduct a jeopardy analysis.

Our decision documents also include a Section 10 findings which documents how the project meets the permit issuance criteria. And we also have a findings documents under NEPA process. And ultimately of course you end up with a permit decision.

The final decision on the permit is made by our regional office in Atlanta. So I hope this has been helpful for all of you to understand a little bit more about our permit process. Again there are two documents that are out for public review and comment.

And they are addressing two laws and because of this these documents include slightly different information. Please take the time to review them both. I also hope this overview clarifies how the service will reach a permit decision for the proposed Coral Reef Common project pursuant to our authorities under the Endangered Species Act.

(Roxanna Hinesman): Thank you (Ashley). So now (Luna Phillips) and (Church Roberts) will provide an overview of the Coral Reef Commons HCP which was submitted to the service on behalf of Ram Realty and University of Miami, the applicants for the project.

(Luna Phillips): Thank you. Good evening. (Luna Phillips) on behalf of Ram. I will provide a brief overview of the Coral Reef Commons Draft Habitat Conservation Plan or HCP. I am Ram's environmental counsel assisting in this process.

I am Board certified by the Florida Bar in state and federal practice and have been practicing exclusively in the field of Florida environmental law 22 years representing both public and private entities.

Presenting me today is ecologist (Church Roberts). He will provide an overview of the functional assessment and how it has helped shape the HCP. Mr. (Roberts) is the Director of the Environmental Department at Johnson Engineering and has been the lead ecologist in the development of this HCP.

Mr. (Roberts) has a Master's Degree in coastal zone and natural resource management and has 24 years of experience as an ecologist in Florida. And also with us today are representatives of the University of Miami. And University of Miami is a co-applicant with RAM.

Our guiding principles since we began this collaborative process with the U.S. Fish and Wildlife Service has been to create a detailed blueprint to restore and enhance the environmental function of the property through sustainable, environmental stewardship practices.

I am personally and professionally gratified to be able to present a summary of those efforts as outlined in the HCP to you this evening. We are hopeful that you will share our enthusiasm for this substantial restoration benefit particularly for the Pine Rockland which this habitat has long deserved.

Before we go into the details regarding the conservation program, I'd like to start with a brief description of the project area and its components. The proposed project includes two components. First, an environmentally conscious mixed use community on 83 acres.

Second, 106 acres of mitigation areas located onsite and offsite at the U.N. Richmond campus that make up the project's conservation program. As we'll discuss in more detail later, the HCP concludes that the conservation program more than offsets any impact resulting from development creating a net conservation benefit.

On the slide that you see on the screen, we have two figures from the HCP. The figure entitled preferred alternative depicts the proposed mixed use community and preserve area. The figure entitled mitigation area depicts the onsite mitigation in green and the offsite mitigation in pink.

The project site is approximately 137 acres and identified as Coral Reef Commons. It includes the 83 acres for the mixed use project and 55 acres dedicated to the onsite mitigation program. The project's environmental team assessed the property to identify the current conditions and habitat types.

This assessment forms the basis for both the mitigation plans and the project designs. Our professional team considered several design alternatives which are detailed in Section 4 of the HCP. These range from the no action alternative on one end to a maximum buildout with only 34.6 acres of preserve.

The preferred alternative allowed for a majority of the development activity to be confined to previously developed areas and disturbed uplands not classified as Pine Rockland.

The draft HCP also undertakes a comprehensive analysis of the potential effects on the species covered by the HCP, the HCP (six) coverage for eight federal and state species. Listed plants are also included in the effects analysis although the Endangered Species Act does not require it.

Details on the covered species are included in Sections 1 through 3 of the HCP. RAM has been working on this HCP for the last three years with the service. The technical assistance provided by the service has resulted in positive significant changes to benefit the covered species.

While the details can be found throughout the HCP a few of the changes I would like to highlight tonight including one, providing for habitat connectivity by adding more preserves, adding a southern corridor which connects the east and west preserve.

And creating nearly four acres of stepping stone to further assist connectivity, increasing the onsite mitigation acres by close to 30% from 43 to 55 acres. And finally adding 51 acres of offsite mitigation to the Richmond campus. Enhancing the property's protection and implementing a burn plan.

The addition of the offsite mitigation increased the total mitigation to 106 acres. To reiterate, as a result of these changes, more land is being preserved and mitigated than is being developed. To address the potential effects of the development, the HCP proposes a comprehensive conservation program to avoid minimize and mitigate these effects both on and offsite.

These efforts are designed to improve the ecological function of the property and benefit the endangered species. The minimization efforts include a series of activities known as best management practices or BMPs. These will be implemented during the construction phase, during the conservation program and during the long term operation of the community.

The mitigation plan includes a detailed management plan to address exotics and implement a burn plan for both the onsite and offsite properties. The conservation program is located in Section 6 and 7 of the HCP. The HCP is a habitat based HCP focusing on the habitat characteristics of Pine Rockland.

The assessment analyzed the functional value of the Coral Reef Commons property in its current conditions and in the post-development conditions and

concluded that the proposed actions would result in a net conservation benefit for the covered species.

(Church Roberts) will now provide a summary of the Pine Rockland functional assessment and the conservation program.

(Church Roberts): Thank you (Luna). Before I start I would like to make a few comments about the property itself. I have personally surveyed and inspected the property on numerous occasions.

Based upon these reviews it is clear that after an extended period of fire suppression colonization by (unintelligible) plant species and a general lack of management, the majority of habitat onsite has severely degraded.

As a result, native flora and fauna species have been greatly impacted. Without the restoration and management program outlined in the HCP I firmly believe that the functional value of the Pine Rockland will continue to decline.

After significant consultation with the professionals at the service we determined that a habitat based functional assessment was the right approach to creating the HCP. Habitat functional assessments are routinely used by state and federal agencies.

Examples in Florida include the habitat based functional assessment developed by the service for the Florida panther and (unintelligible). The habitat functional assessment developed for Coral Reef Commons was based on specific characteristics of Pine Rockland habitat and in my professional opinion was the best way to quantify both the impacts and improvements to the covered species.

We researched the best available science and worked with the service to identify and quantify the desired characteristics for healthy and functioning Pine Rocklands. The functional assessment demonstrates that the conservation program fully offsets potential impacts from the proposed action.

In other words, the measure that will be undertaken will completely offset the impact of any incidental taking of the covered species. Moreover, the addition of the offsite mitigation area provides additional substantial conservation benefits for the covered species over and above the offset.

The details and result of the functional assessment are located in Section 5 of the HCP. (Luna) previously mentioned the goals and BMPs. I would like to take a moment to provide additional details regarding the first goal which is the reduction of threats two and the recovery of the covered species.

In other words, how do we actually achieve this goal? As I previously mentioned doing nothing is not a good option. While some people may like the way a heavily vegetated area may look, from a biological perspective it is important to understand that Florida is highly prone to infestation of exotic plants.

Invasive exotic species and lack of fire reduce biological diversity and negatively impact wildlife. Pine Rocklands are particularly fire dependent. This is why the most effective way to protect and enhance this species is to actively manage the conservation area and implement best management practices for the development of the property.

The best management practices plan is important because it ensures that potential effects are avoided and minimized first. Our minimization plan

includes preconstruction specie surveys, education and outreach regarding the HCP conditions, signage to protect the reserve areas, requirements on pesticides, waste and recycling, lighting and landscaping to name a few.

The onsite mitigation plan covers 55 acres and includes several key features. I will briefly describe the most significant activities. First, it includes approximately 51 acres of preservation areas, lands that will be actively managed and preserved (importunity). In other words, lands that are not being included for development.

In this area, the HCP identifies several strategies to enhance the biological function namely the eradication of invasive plant species, (unintelligible) and prescribed burning. Second, the plan includes the creation of approximately four acres as stepping stones.

These are strategically placed planting areas designed to provide further connectivity. Another key component of the plan is the connection of onsite preserves to adjacent Pine Rockland habitat. This allows for the potential for onsite and offsite species recruitment and therefore expansion and sustainable habitat for the covered species.

The offsite mitigation program includes a prescribed burn plan that is similar to such proposed onsite. The burn program will be executed under the protocol approved by the Florida Forest Service and under the direction of a Florida served by burn management.

To maintain optimal quality habitat the proposed plan adopts a mosaic pattern of small prescribed burns that reduce fire intensity and create refuge for (unintelligible) species. In additional the HCP includes fire-wise community

design components to further enhance safety and help ensure a successful implementation of the burn plan.

What I shared with you tonight is a brief summary of the work that our environmental team has completed over almost a three year period. The details behind the science and applied research that we use are found throughout the HCP.

If I could leave you with one final thought, a summary of what would be accomplished if this project is permitted and executed, it would be this. The mitigation program both on and offsite as well as the minimization effort more than offset the effects and provide a significant net conservation gain. Thank you.

(Luna Phillips): Thank you (Church). We hope this overview provides insight into how we approach the project. It's important to note that the HCP contains various enforceable conditions that are designed to ensure implementation of all the HCP commitments.

These include monitoring protocols, perpetual protections for the mitigation areas, success criteria, an adaptive management plan and financial assurances. Details regarding these may be found in Sections 10 through 12.

One final point before closing. We understand and respect that people may have different opinions and look forward to receiving constructive comments. The HCP provides a detailed, science based plan to ensure that the environmental function of the property will be significantly enhanced by the conservation program.

Our client, RAM, is looking forward to completing this process and if approved, creating a project that is economically environmentally sustainable and will provide conservation benefits for the covered species. Thank you.

(Roxanna Hinesman): Thank you (Luna) and (Church). (Ashley's) going to give you just a couple of slides that are going to address the public comment period and then we will launch into oral comments.

(Ashley): All right. Thank you (Luna). Sorry. Thank you (Roxanna). I thought it would be helpful to give everyone a couple of tips on what would be considered useful comments during the public comment period. This includes not just tonight but also in written comments that we will receive.

So the Service is looking for sound science and reasoning in the comments we receive. When possible, support your comments with substantive data, facts and/or your expert opinion. You may also provide personal experience in your comments as it may be appropriate.

By supporting your arguments well you are more likely to influence our decision making process. Please base your comments and justifications on sound science, sound reasoning and science evidence on how you will be specifically impacted. Please note that the comment process is not a vote.

One well supported comment can be more influential than 1000 form letters. I provided here a link to, tips for submitting effective comments. If you have any questions, I recommend that you visit that site and take on the guidance.

I would also say that although public support or opposition may help guide important public policies, agencies making determinations for a proposed action or agencies make determinations for a proposed action based on sound

reasoning and scientific evidence rather than a majority of votes. Thank you very much.

On this slide you'll see all of your options for comment submittal. So this will be up for the remainder of the comment period. So please take a note. You will also find this information on the top floor of ecological services web page. There are links under the news and releases and as well as on the right-hand side of our web page.

(Roxanna Hinesman): All right. Thank you (Ashley). As I said before, you must be registered with the Operator to speak. If you have registered to speak but have changed your mind, you do not have to speak. In order to register, you press star one for anybody who may have joined us late.

As a reminder, each speaker has two minutes. You'll hear the bell at 90 seconds and two bells at the two minute mark signaling time to wrap-up quickly. Please remember to respect the views of others and to strive for common courtesy and civility as we work through everyone's comments. Operator, you may now please open the lines.

Coordinator: Thank you. One moment please. Our first question comes from, one moment please. Our first question comes from Mr. (Wagner). If you could please introduce your first and last name and your affiliation.

(Coni Wagner): My name is (Coni Wagner). I've the Vice President of Miami Plain Rocklands Coalition Rocklands Coalition. Can you hear me?

Coordinator: Yes, your line is open. Go ahead.

(Coni Wagner): Okay, very good. Well first of all I live in the neighborhood. I've lived in the neighborhood since 1990. I'm a second generation Miamian. I moved to the Deerwood area specifically because I didn't think anyone would ever put a Walmart on what was former government land which is (unintelligible).

So I thought it would help as far as not having extra traffic and Coral Reef Drive, Kendal Drive and so on and so forth. RAM says that they have a burn plan. Now I've been out there when Pine Rock has burned. I've watched Pine Rock (and Bonita Lakes) burn in the early 90s when I lived out here.

I wouldn't want to live in a Coral Reef Commons apartment knowing that it's going to be likely to burn every three to five years to protect the species. The incidental take permit is also I believe for three or four species, that I read somewhere where there's more than a dozen endangered species that live on that property.

And keep in mind I'm on that property every weekend. I'm part of the training crew of the Gold Coast Railroad so I get to see the back side of what is the (railroad) property every day and I get to drive a train through the Pine Rocklands which are naturally very beautiful.

I'm not against development. I'm not anti-development. I think they could find a better place (unintelligible) the land. But the truly best way for this to be a preserve is to not have it paved over in the first place. You don't preserve anything by paving it over.

I wouldn't want to live in a place that's got to be burned and when you've got species that you're giving take permits for, what about the other species that live off of them? For example small fish eat the (unintelligible). Medium size fish eat the small fish. Big fish eat the medium size fish.

If one of those three get out of the equation because an incidental take permit was on it, it throws the whole cycle out of whack. By issuing incidental take permits for even three species, (unintelligible). That significantly degrades the value of the property. Thank you very much for my few minutes.

Coordinator: The next participant is (Carmen Ferreira). Your line is open.

(Carmen Ferreira); Hi. My name is (Carmen Ferreira). I'm a lifelong resident of South Dade. I spent a lot of my youth in the Richmond Pine Rocklands and as an amateur naturalist spent a lot of time in Pine Rocklands.

I'd like to thank you all for your presentations. It's been very informative. So I'm going to focus rather than on comments which I'm submitting via email, I'd rather focus on some questions I have.

One is, why is such a long duration for an incidental take permit? Thirty years seems a bit extensive. You know, usually we get hurricanes within those cycles. Why then such a longstanding permit?

My other question is why is the University of Miami a co-applicant within this process given that they've already sold this property and no longer have ownership rights to it?

And then my last question is to the developer itself. I have been following a lot of these financial, you know, financial statements and stuff of RAM and notice that many of the properties that have been developed are of similar fashion to (Corry's) comments have currently been sold.

So give that that's a possibility in this process, how would that impact the incidental take permit that's issued to them and their subsidiaries? So those are my questions. Once again, thank you for your time.

Coordinator: I show no participants in the queue at this time. As a reminder, to make a comment or ask a question, that is star one from your phone. Please stand-by for the next comment. (Christopher Worth), your line is open

(Christopher Worth): Thank you very much. Yes, I am a PhD student. And I specialize in basically the biology and the biogenetics of going after beetles. And I've been involved with the Miami Tiger Beetle since just after its rediscovery.

Let me just point out this was a species that was presumed extinct for over almost 75 years. But what I would like to address is not so much the beetle. We've addressed that in other places. And I've failed to see the EA or the applicants or the HCP, any comments on maintaining viable populations.

Yes, they claim that the functionality of this property will be increased. But the preserves, because they are divided into east/west sections and also the offsite mitigation area, they are all in my preliminary work indicates that they are such a small site as to not be able to support suitable genetic diversity for any of the applied for species.

Functionally these preserves may improve the quality of the habitat but will not be able to support populations of the listed species. The proposed preserves, again from preliminary work and my comments will be submitted in full, my preliminary work indicates that the area of the preserves is too small and too isolated to support viable populations, my apologies, thus rendering the preserves unsuitable.

And I would pose that also as a statement and question to the Service. Thank you very much for your time.

Coordinator: (B.J. Suzar), your line is open.

(B.J. Suzar); Thank you so much. I'm (B.J. Suzar). I'm a master student at FIU and also involved in community based forest management in Pine Rocklands at a Goulds site in South Dade.

My concern is more in the broad, general sense of the issuing of ITP. I don't necessarily have concerns about the HCP. I am concerned about the connectivity. I do not consider additional land outside of this 137 acres that we're discussing today to be sufficient mitigation.

I consider this a lifeboat habitat. I believe all 10 ESA species, all hundred plus state species and a wide array of federally threatened species call this location home. I believe you also have things like flagship species that also would like to call this area home.

So the conversation becomes about Section 4 about critical habitat or Section 9 and Section 10 about the issue of take. I believe that this property constitutes critical habitat for all the species involved.

When we talk about a fire dependent community that is not conducive to residential or commercial development, not to mention the national security implications, if there was a military or intelligence site on that, close proximity to that location, who will execute this burn plan?

In the State Forest Service and Dade County's Natural Area of Management, there's only one certified burn person. I don't believe that's accurate. If you

look at the sws.gov a great many species are impacted and your own recommendations, there should be no further degradation.

When we talk about this place, we need to maintain it, restore it. We need to place a moratorium. And the option should be no issuance of permit, full restoration of the property to comply with the Congressional mandate and the Congressional intent to preserve critical habitat for all the endangered and threatened species of the Richmond Pine Rockland track one of our largest remaining lifeboat habitats. Thank you.

Coordinator: (Paula Johnson), your line is open.

(Paula Johnson): Thank you. I will submit comments online but I do have one question for the, for (Ashley). I believe she stated that the taking, the standard is, or the criterion is that the taking does not appreciably reduce viability and recovery of species. So I'd like to know how appreciable is the find? What is that standard?

Coordinator: (Barbara Valdez), your line is open.

(Barbara Valdez): No comment. All questions have been answered.

Coordinator: (Becca Brian), your line is open.

(Becca Brian): Hi. Yes, my name is (Becca Brian) and I am a Broward County resident who regularly travels around the area where this project is supposed to be developed. I am also the media chairperson for Friends of the Florida Panther Refuge, a volunteer group.

I have just two quick comments to make. The first one is to the service and to the applicants. That is to say the best hope for preservation of Pine Rockland is to leave it alone. Also a comment specifically for the service and that is to ask you to consider all public comments, even those that are not scientifically based or back up by facts.

And ask you to please post a line for the public comment section on social media so more people in the public have a chance to weigh in on this very controversial project and let the public make note of what their concerns are. Mine specifically are for the endangered species and the threatened species in the area. Thank you very much.

Coordinator: I show no participants in the queue at this time. As a reminder, that is star one if you'd like to make a comment or ask a question. Please stand-by. We have another participant coming in. (Valerie Robin), your line is open.

(Valerie Robin): Oh, okay. I'm going to make this very short because most of the people have expressed their opinions and I can't add a whole lot to it. But I am concerned about the water issue, if that has been looked into.

We do have here in South Dade a concern over the, I'm sorry, the salt intrusion of our (unintelligible) and we're going to be moving a lot more people down to this area that you want to develop. And is that something that needs to be looked at as far as the water.

And also, excuse me, I agree that I can't imagine how a burn is going to happen with the development of departments and condos being so close to trying to do the burn. Also, I guess there's been some sort of traffic study as far as how the added traffic is going to be handled. Thank you very much.

Coordinator: (Laura Reynolds), your line is open.

(Laura Reynolds): Hi, thank you. Two quick questions. I'm going to submit my comments in writing. But number one, there was a lot of really good questions asked here today. We'll you be answering those? And number two, will there be a face-to-face public meeting instead of just a webinar?

Coordinator: (Jim Tese), your line is open.

(Jim Tese): Hi, my name is (Jim Tese). I'm a member of the Miami Pine Rocklands Coalition. The Bartram Hairstreak Butterfly has been identified as being present on the property in the question.

And it has an extremely short, it spends most of its life right around its host plant, Pineland Croton. And is unable to fly long distances. I'm concerned that fragmenting the habitat even with the notable idea of having stepping stones between the areas in Pine Rockland would be insufficient to support the migration, the lifespan of the Bartram Hairstreak Butterfly. Thank you.

Coordinator: There are currently no participants in queue. It is star and the number one to ask a question or make a comment from the phone. Excuse me. This is the Operator. Are participants allowed to make a comment or question for a second time?

(Roxanna Hinesman): Sure.

Coordinator: Okay. (Paula Johnson), your line is open.

(Paula Johnson): Thank you very much. I neglected to make this request when I first spoke. I would like the Fish and Wildlife Service to consider extending the public

comment period an additional 30 days so that we have 90 days to submit comments. Thank you.

Coordinator: (Tim Watson), your line is open.

(Tim Watson): Hello I'm (Tim Watson). I'm a resident of Coral Gables and an employee of the University of Miami, although obviously not speaking officially for the University this evening. But I want to state one of my concerns here.

And it's because I'm concerned that the University has not been a good steward of this land and that's been true for many years. I'm extremely concerned that the habitat conservation plan uses the fact that the land has not been taken care of in order to provide the mass that says that species on the land will be conserved and in fact that the land will be in better shape for the development.

So that the polygons, for instance, on which the habitat value units are placed where the preserves will be. Polygon 86 has a habitat value unit of 0.02. Polygon 88, 0.02. Now these are a little better than developed land as asphalt.

But these are where the preserves are supposed to be and I think it's extremely unfortunate that the University of Miami which is one of the co-applicants here, is now party to using the fact that it has not been a good steward of this land. To make the case that there will be improvements once the development has taken place. Thank you.

Coordinator: (Coni Wagner), your line is open.

(Coni Wagner): Okay, I had one question that I really wanted to ask. And I didn't get the chance in my first two minutes. I read the original habitat conservation plan

that was 504 pages prepared back in May 2015 by Johnson Engineering. And I've also read the 172 page plan that we're talking about tonight that was done in February 2017.

The big difference is you've added offsite mitigation, 51 acres of it. But that offsite mitigation is the University of Miami's C-Star site which is already protected under another covenant so it's not going to be developed for anything.

So what's with the smoke and mirror saying we're adding 51 acres of extra preserve land and preserving so much more land when that land was already preserved in the first place and does not connect to the Coral Reef Commons project at all and shouldn't have been listed in the first place.

It seems to be a bit of a deception on the case of RAM development. I applaud them for adding more or trying to add more preservation areas and adding the southern border and the stepping stones which will be decorative but not terribly useful because you're fragmenting the property too much to begin with.

But I appreciate the effort that they're doing. But to add 51 acres which is not even remotely connected to this just seems to be a part of deception. And I'd like to know why in two years between 2015 and 2017 were these 51 acres added? Was it to confuse people? Was it to make the developer look better? Was it to make the University of Miami look better?

I would really like to know why offsite mitigation suddenly this year became part of this HCP. Thank you.

Coordinator: (B.J. Suzar), your line is open.

(B.J. Suzar): Thank you. I'd like to continue discussing the impact to the overall ecosystem, this about 700 to 850 acres approximately. The Richmond track all together is home to a whole level of bio-diversity. It definitely has some management problems.

But from an eco-system, I mean you have all types of endangered species from pollinators to the plants to (the birds) to the butterflies to the Bonneted bat to the flagship species of bald eagle to the woodpeckers to the wobblers, to the flax and the milkpea to the polygala.

You know I really think that the service should be a little bit more steady on the entire 800 acres to determine what's probably there. I'd like to reiterate that nothing outside the 137 acres should be considered as part of this HCP or this ITP which I oppose.\

I do believe that the entire area, the 80 acres that we are going to lose and does not have adequate connectivity does constitute critical habitat. The kind gentlemen from the firm with the applicants said that because of fire suppression and ineffective management, the property has degraded.

I would like to reiterate to the service that there is no such thing as a degraded Pine Rockland to the point where it should be paved over. Without this HCP, the applicant contends that the property will continue to decline.

While I submit respectfully to the service that with this incidental take permit, the habitat, the critical habitat protected by an act of Congress, Section 4 of the Endangered Species Act, this critical, globally endangered habitat will disappear with the issuance of this incidental take permit.

Thank you so much and once again the option should be complete restoration of the entire property with a moratorium on development of critical habitat. Thank you.

Coordinator: (Becca Bryan), your line is open.

(Becca Bryan): Thank you. But I'll pass and make my public comments and say that I ditto what the last gentlemen said with emphasis. Thanks.

Coordinator: (Paula Johnson), your line is open.

(Paula Johnson): Thank you. I would just like to add my voice to the questioner who is curious about the ITP for 30 years. I'm concerned that an ITP would be issued for 30 years. Thank you.

Coordinator: There are no participants in queue at this time. As a reminder that is star one if you'd like to make a comment or ask a question. (Mark Talhola) your line is open.

(Mark Talhola): Thank you. I'm an environmental science teacher in Miami Dade County and hold a Master's degree in biology. I'm in agreement with much of what has been said about bio regime, restoring the bio regime is critical to the survival of these Pineland species.

However my concern is, if this goes forward down the road, that once residents are in close proximity, there will be enough complaint, enough concern about the number of fires, that the fire regime will be abandoned and the habitat will remain lost and continue to degrade. It's my only comment. Thank you.

Coordinator: (Erin Barry), your line is open.

(Erin Barry): Hi, I'm just a concerned citizen. It's just a quick question. To what extent have outside people been ready to conduct studies of the Pineland Habitat that are not associated with the development? And that's it.

Coordinator: (Christopher Worth), your line is open.

(Christopher Worth): Yes, actually to speak to the previous questioner's comments, I was a former student of (Baron Nisley) who worked on this tiger beetle. And I maintain no current affiliations with Dr. (Nisley).

However, I would just like to add that in my capacity as a student with Dr. (Nisley), we encountered significant resistance in accessing the University of Miami properties, both Sea stars and now what is the Coral Reef Common Site.

Dr. (Nisley) was able to conduct one survey where the applicant mischaracterizes this as broad. That survey referred to, only consisted to the extent of the property which adjoins the drop leading to Zoo Miami.

And as all edge habitats, that was highly overgrown with invasive. However none of the interior of the property has been adequately surveyed. And I would like to address that as a question. Will the service in any independent surveys of the property for the rare species in question?

Second, I would like to enter into the record as a historical example the site upon which Zoo Miami and Coral Reef Commons sit was formerly Richmond Naval Air Station. As part of the construction of a naval air station in the mid 40's the Pine Rockland was actually scrapped to the limestone.

And what is today the habitat for the Miami tiger beetle and many of the other endangered species was previously scraped. In named this in my previous comments to the Service and this will be in my comments to the Service. This is based on inspection of historical imagery.

But the currently occupied habitat was scraped to the limestone substrate. The characterization of any Pine Rockland as degraded is not reflective of the best scientific evidence. And in the services EA there was no alternative to restoring the whole property and no consideration of the increase in habitat value units.

I would like to see that addressed from a data decision (sea) point of view before anything is done proceeding for the permit. Thank you very much for the time.

Coordinator: (Carmen Ferreira) your line is open.

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(Carmen Ferreira): All right, thank you again for allowing me to ask an additional question. Given that, you know this is such a rare and imperiled ecosystem, you know, it's pretty much 2% outside of Long Pine Key in Everglades National Park. And, you know, that number keeps going down.

Given that this is such a rare ecosystem it can, as many have expressed, be restored as many other properties have done that have been saved from development.

Would the development company, if public officials and enough work was done to ensure that a land swap can be done for them to proceed with their

development, would they consider selling this property and allowing it to be protected and maybe building elsewhere if a land swap or some other suitable arrangement came up in the future. Thank you.

Coordinator: There are no participants in the queue at this time. That is star one for any questions or comments. Again, star one if you'd like to make a question or comment, if you'd like to make a comment or ask a question. Still no participants in the queue. That is star one for any questions or comments in this conference.

I just had a participant join the conference. I will repeat that. If you'd like to make a comment or ask a question, please press star one from your phone. There are no participants in queue. Again that is star one if you'd like to make a comment or ask a question. (M. Keys), your line is open.

(M. Keys): Thank you. I'd like to point something out. The recordings of the sounds of the bonneted bat, the voices of the bonneted bats made by Dr. (Frank Rigley) from the Zoo Miami all around the property in question of course with other people, no one else has been allowed to access the property to ascertain whether there are any bonneted bat calls on the property independently.

However he has found evidence of the recordings of voices all around the track. And bats and other living things do not recognize human property boundaries and it's difficult to believe that they would just stop at the property line and not go over.

I'd like you to take into consideration the likelihood that some endangered species that are not listed as having been discovered are, possibly even including the Miami tiger beetle as listed under the endangered species act

may exist on the property and at this point may not have been discovered.

Thank you.

Coordinator: There's nobody in queue at this time. That is star one for comments or questions. Please stand-by. We do have participants coming to the queue. (Jen Ties) your line is open.

(Jen Ties): Thank you. I just wanted to add support for extending the comment period and I wanted to know if that had to be submitted in writing or whether this would be sufficient as a request to extend the comment period.

This is a very long complex document and it was prepared with a lot of time on your end and I think the public should have a similar amount of time to review and go over it.

Coordinator: (Poly Wagner), your line is open.

(Poly Wagner): Yes I'd like to reiterate and back up what (Jen Ties) just said about the bonneted bat. As I mentioned earlier, I'm a member of the volunteer training crew at the Miami polar railroad. And within our polar express trains at night, I've seen Florida bonneted bats flying over the property.

I don't know where they roost. I don't know whether they [re on our property or the RAM property or somewhere else in the 21 acres that makes up the Richmond Pine Rocklands.

I'm also seeing crown Rim Rock snakes on several occasions running away from the rails. I saw one of them that ran under our West gate and ran under the fence and onto the Department of Defense site that's next door to us. I've seen a (talis). I haven a hairstreak butterfly.

I have a picture because we were originally allowed onto the zoo property that are normally open to the public. As we were looking for tiger beetles one day and I got a picture of a hair streak butterfly which is very rare out there. So these things exist out there.

And eastern box tortoise I've seen it out there. I've seen eagles fly over the eagle site that's out there Hawks are in the air every weekend out there. There's all sorts of wildlife out there.

We had Egyptian geese walk under a train shed last week and when it was pouring rain and we were looking at some hay bales that we had on a baggage cart to use for nesting purposes or something. You never know what you're going to see out there as far as wildlife.

It's really an amazing place and it would be ashamed for Fish and Wildlife to issue these take permits so that stuff could be taken away from us. And it would be ashamed to see stuff developed to take away from this.

I'm still trying to wrap my head around the process of why you have incidental take permits in the first place when Fish and Wildlife works so very hard to put things like the tiger beetle and the bonneted bat on the endangered species list

Why isn't here more to protect the species that were putting on the list as opposed to allowing incidental take permits and that's more of a question for Fish and Wildlife than anybody else.

But it would really be ashamed to lose this precious resource which is uniquely our own. You can't find these Pine Rockland's anywhere else in the

world, only in South Florida, only in Dade County, parts of the Keys, parts of Cuba, parts of the Caribbean have Pine Rocklands.

You can't find them anywhere else.

Coordinator: You're coming to the end of your comment sir. Can you wrap up please?

(Poly Wagner): We can put a Walmart anywhere. We can put apartments anywhere. I would like the Fish and Wildlife to decline to take permits so we can preserve this (importunity). Thank you.

Coordinator: No participants in queue at this time. That is star one to make a comment or question. (Ann Martinez) your line is open.

(Ann Martinez): Hi. My name is (Ann Martinez). I've been a science teacher for 20 years and I've volunteered and helped rebuild and maintain Pine Rockland Habitat. I recently was with Audubon bird watching at Zoo Miami Pine Rockland and was very impressed by the diversity present. It just hardens me to think that such a beautiful habitat can be shaved over for something like a Walmart.

This is a very sensitive habitat with small changes in and around the land and adjacent lands will have a huge and many times unexpected impact on the ecosystem. My question is, what independently hired experts, if any, have surveyed the land in order to determine what endangered species are currently living, nesting or (pinging) resources from the land?

I feel we need an independent study and survey done of this land in order to make sure that the information that we've been given is not biased. And we need surveys done by experts in the field.

These unbiased expert reports, these unbiased experts should be allowed to service the land throughout the year and perform the extended study in order to have a better understanding of all of the species that rely on this land. There may be species that rely on the land that are seasonal like endangered tiger beetle and they need protection as well.

However without that unbiased survey, we'll never know. Lastly, as we know with the Florida panther, habitat segmentation has a huge impact on population size.

(Unintelligible) small tract decreased population of endangered animals found in this area not to mention the extra stress that these organisms will be forced to experience from the noise pollution created by construction and extra traffic entering the area.

Also there will be an increase in air pollution and other pollutants that enter the ecosystem. We can't possibly really believe that this plan built to help the Pine Rocklands can actually help anyone but themselves. Thank you.

Coordinator: Thank you for our speak line. The bell has gotten more difficult to hear. I'm not sure if it's close enough to the phone line for our participants to be able to hear that. And (Becca Bryan), your line is open.

(Becca Bryan): Hi folks. The last thing I just want to ask or rather implore the Fish and Wildlife Services to please, please take into consideration very heavily everything that these biologists, these science teachers and the public has made on this phone call tonight.

There are so many imperiled, threatened and endangered species living in that area and it would be ashamed to see the Fish and Wildlife Service just ignore

all that for just another giant Walmart and another apartment complex in an already traffic congested area. Thank you.

Coordinator: No other comments in the queue at this time.

(Roxanna Hinesman): So folks who have already spoken more than, you know, twice, please refrain from making any additional oral comments. Please submit them in writing if you would so that we can make sure that others who are out there who might want to speak have an opportunity to do that. Thank you.

Coordinator: And as a reminder that is star one if you want to ask a question or make a comment. One moment please for the next person in queue. The next participant is (Troy Brown). Your line is open.

(Troy Brown): Hi. Just like to reiterate the request to extend public comments for 90 days. This is something that's just getting into most of the public's eye right now whereas these studies by the developers have been going on for years.

Something as important as this, an endangered system and habitat is something that deserves a 90 day public comment period. So that's all I have to say. Thanks.

Coordinator: (Arbor Valdez), your line is open.

Coordinator: Miss (Valdez), your line is open. Please check your mute button. We're getting no response.

(Arbor Valdez): I'm sorry. I thought the line was closed, that the Webinar was done. I'm just waiting for more people to comment.

Coordinator: (Jim Ties) your line is open.

(Kathy Ties): No, it's (Kathy Ties). I'd just like to comment on the traffic on 152nd. I'd like to see a traffic study done, an unbiased, independent traffic study because the traffic is horrible on that road. And I can't imagine with all those apartments that it will get better or I mean it's just going to be a nightmare. So if we could have a study done, a true study that would be very interesting. Thank you.

Coordinator: And no other participants in the queue at this time. That is star one for comments or questions. I'm still showing no participants in queue. There are still no participants in the queue.

(Roxanna Hinesman): So we will give this probably another five minutes or so but while we're waiting on that I wanted to let folks know that we will be posting all of the comments on the Fish and Wildlife Services website.

Typically those are in the Federal Registrar's stuff and for some reason the box didn't get checked and it went up through headquarters. And so we do want to make those available to you so you can see what other comments have been submitted.

We'll be getting that next week. I think they'll be on a PDF format so that you can download them from our website and see what has been submitted to-date. And we'll update that about once per week.

Coordinator: We do have a comment from (Katherine Martinez). Your line is open.

(Katherine Martinez); Hi my name is (Katherine Martinez) a 12th grader who has worked to maintain Pine Rocklands Habitat throughout my life. I find it quite upsetting

and depressing that such a magnificent globally imperiled ecosystem is at risk of being destroyed by development.

As a member of the millennial generation let me assure you that the addition of apartments will not positively benefit us as much as the presence of the wildlife which is there now. This fragile ecosystem needs our protection. Please preserve this ecosystem so that generations to come may benefit from its presence as well.

Coordinator: There are no participants in queue. That is star one for questions or comments. There are no participants in the queue.

(Roxanna Hinesman): So we will remain on the line until 8:00. So if you are interested in commenting please go ahead and press star one now so that we can get your comment orally. And as we mentioned before, this is not your only avenue to comment.

We'll be accepting written comments through May 22. You can see the slide that tells you the various ways that you can submit them in writing. As I said, we will post all these comments on our website so that you can see them as they're coming in. And we'll give you just a few more minutes.

Coordinator: (Becca Bryan), your line is open.

(Becca Bryan): Thank you. I would just please ask the Fish and Wildlife Service to share the URL for the PDF where these public comments and others are going to post on the webpage, to please share it on the social media account so more of a general public can read them and have a chance to respond. Thank you.

Coordinator: Just to confirm for you speakers, I show no questions in the queue.

(Roxanna Hinesman): All right. So it appears that we are coming quickly up on 8:00. And it sounds like everyone who wanted to make an oral comment tonight has done so. Just to reiterate, that if you want to submit a written comment, the methods for doing that are on the slide being shown to folks that are participating online.

You can also get that information by visiting our website at www.fws.gov, fish and wildlife service .gov (ww.fws.gov) with /verobeach. And we looked over and based on the last comment we will be sending that link out on our social media sites so that folks can find them there as well.

We just want to share our sincere appreciation for you taking time out of your evening schedule when we know there's a lot to do to participate in the public comment process. We really do appreciate it. Your comments are incredibly important to us and we will take them all into consideration.

I don't think we have to clarify anything else other than to reiterate we will post them online and again, thank you very much for participating. We wish you good night.

Coordinator: That concludes today's call. Thank you for participating. You may disconnect at this time.

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